

SEP 12 2005



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Client: 51271	Matter: 33
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Date: September 12, 2005

No. of Pages (including this cover): 20

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COMMENTS:

Attached is a Combined Amendment and Petition for Extension of Time and accompanying documents for Serial No. 10/056,788 filed January 23, 2002, entitled **IMPROVED MUSCLE-DIRECTED GENE TRANSFER BY USE OF RECOMBINANT AAV-1 AND AAV-6 VIRIONS**.

SEP 12 2005

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): James Allen			51271/33
Application No. 10/056,788	Filing Date January 23, 2002	Examiner Brian A. Whiteman	Group Art Unit 1635
Invention: IMPROVED MUSCLE-DIRECTED GENE TRANSFER BY USE OF RECOMBINANT AAV-1 AND AAV-6 VIRIONS			
<p>I hereby certify that this <u>Amendment and Response to Office Action (15 pgs.); see below:</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571)273-8300</u>)</p> <p>on <u>September 12, 2005</u> (Date)</p> <p style="text-align: right;">Kevin B. Laurence (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"> (Signature)</p> <p>Note: Each paper must have its own certificate of mailing.</p> <p>Transmittal: Combined Amendment and Petition for Extension of Time (2 pgs.) PTO-2038 Credit Card Payment Form in the amount of \$510.00</p>			

P18/REV02

COMBINED AMENDMENT & PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Small Entity)					Docket No. 51271/33	
In Re Application Of: James Allen						
Application No. 10/056,788	Filing Date January 23, 2002	Examiner Brian A. Whiteman	Customer No. 35735	Group Art Unit 1635	Confirmation No. 9362	
Invention: IMPROVED MUSCLE-DIRECTED GENE TRANSFER BY USE OF RECOMBINANT AAV-1 AND AAV-6 VIRIONS						
RECEIVED CENTRAL FAX CENTER SEP 12 2005						
<u>COMMISSIONER FOR PATENTS:</u> This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>March 10, 2005</u> in the above-identified application. <small style="margin-left: 150px;">Date</small> The requested extension is as follows (check time period desired): <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div> <input type="checkbox"/> One month <input type="checkbox"/> Two months <input checked="" type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months </div> <div style="margin-top: 10px;"> from: <u>June 10, 2005</u> until: <u>September 10, 2005</u> <small style="margin-left: 100px;">Date</small> </div> </div> <p style="margin-top: 20px;">Applicant claims small entity status. See 37 CFR 1.27.</p> <p style="margin-top: 20px;">The fee for the amendment and extension of time has been calculated as shown below:</p>						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	13 -	21 =	0	x \$25.00	\$0.00	
INDEP. CLAIMS	3 -	3 =	0	x \$100.00	\$0.00	
FEE FOR AMENDMENT					\$0.00	
FEE FOR EXTENSION OF TIME					\$510.00	
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$510.00	
09/14/2005 MBINAS 00000007 10056788 01 FC:2253 510.00 0P						

P283MALL/REV05

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**Docket No.
51271/33

The fee for the amendment and extension of time is to be paid as follows:

- ☐ A check in the amount of _____ for the amendment and extension of time is enclosed.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2375
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. _____
- ☒ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: September 12, 2005

Kevin B. Laurence
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

P28SMALUREV05